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REMARKS

This is a response to the points raised by the Examiner on page 2 through page 4, line 13, which are consistent with the remarks in applicant's July 31st amendment, as follows:

Page 2, Lines 6-15

The reasoning on page 2, lines 6-7, states that applicant argues that "Safadi requires personalization assistance from the network infrastructure to encrypt protected content or content encryption key." This point is first stated by the Examiner in the previous office action mailed 15 May 2007, page 2, lines 13-14, in response to an earlier point raised in applicant's February 14th response.²

Foremost, it is respectfully submitted that applicant's February 14th response, as well as applicant's July 31th response, have been reviewed and no such argument appears to have been presented.

Instead, consistent with that stated in applicant's July 31st response, page 12, lines 12-14, the point being made by applicant in the February 14th response is that Safadi, et al. does not teach or suggest that a wireless recipient consumes protected content without requiring content personalization assistance from the network infrastructure, as claimed. In view of this, we believe that the reasoning on page 2, lines 6-7, is either incorrectly paraphrasing applicant's argument, mischaracterizing the same, or both.

² Applicant's February 14th response, page 15, lines 2-5, stated that: "Safadi, et al. does not teach or suggest that a wireless sender encrypts protected content or content encryption key and a wireless recipient consumes the protected content without requiring assistance from the network infrastructure, as claimed."

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Moreover, consistent with that stated in applicant's July 31st response, page 12, lines 12-14, as stated in the patent application the whole thrust of the claimed invention is to provide a technique in which the wireless recipient can consume protected content without content personalization assistance by the network infrastructure. Claim 1 is not limited to the content personalization assistance being between either the wireless sender and the network infrastructure, or between the wireless recipient and the network infrastructure.

Moreover still, consistent with that stated in Applicant's July 31st response, page 12, lines 20-22, the point being made by applicant in the February 14th response is that "Safadi, et al. does not teach or suggest that a wireless recipient consumes protected content without requiring content personalization assistance from the network infrastructure, as claimed." Applicant's argument is clearly focused on content consumption by the wireless recipient.

Moreover still, consistent with that stated in Applicant's July 31st response, the paragraph bridging pages 12-13, in order for Safadi, et al. playback/receiver device 30 in a cable network to consume protected content, there must be assistance from the headend of the cable network to the PVR 10 (i.e. the content provider). For example, as described in paragraph [39] of Safadi, et al., when the multi-channel video programming network is a cable network, the PVR 10 must communicate with the headend to determine if the playback/receiver device 30 is approved for use on the PAN 20 if this approval is either desired or required by the content owner and/or distributor, as described in Safadi, et al., paragraph 39. Thus, Safadi, et al.' wireless recipient cannot consume protected content without requiring

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content personalization assistance from the network infrastructure, as claimed. In this case, the content personalization assistance is between the PVR 10 and the headend of the cable network.³ Again, Applicant's argument is clearly focused on content consumption, not content encryption, by the wireless recipient.

For these reasons, it is respectfully submitted that the reasoning in the November 11th office action, page 2, lines 6-15, is not correct.

The Paragraph Bridging Pages 2-3

The reasoning on page 2, lines 16-18, states that applicant argues that "claim 1 is not limited to the content personalization assistance being between the wireless sender and the network, or the wireless recipient and the network."

Foremost, it is respectfully submitted that, consistent with that stated above, claim 1 is clearly not limited to the content personalization assistance being between the wireless sender and the network infrastructure, or the wireless recipient and the network infrastructure. Instead, the whole thrust of the present invention is that the wireless recipient consumes protected content without requiring content personalization assistance from the network infrastructure, as claimed.

Moreover, consistent with that stated in Applicant's July 31st response, the paragraph bridging pages 12-13, and as stated above, in contrast with the claimed invention in order for Safadi, et al. playback/receiver device 30 in a cable network to

³ Similarly, as stated in applicants' February 14th response, Safadi, et al., paragraph [0039], describes that, when a user requests the transfer of content from the PVR 10 to a receiver/playback device 30, the PVR 10 communicates with the headend of, e.g. a cable network or other suitable multi-channel video programming network, to determine if the receiver/playback device 30 is approved for use on the PAN 20.

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consume protected content, there must be assistance from the headend of the cable network to the PVR 10 (i.e. the content provider). For example, as described in paragraph [39] of Safadi, et al., when the multi-channel video programming network is a cable network, the PVR 10 must communicate with the headend to determine if the playback/receiver device 30 is approved for use on the PAN 20 if this approval is either desired or required by the content owner and/or distributor, as described in Safadi, et al., paragraph 39. In this case, the content personalization assistance is between the PVR 10 and the headend of the cable network.⁴ Thus, Safadi, et al.' wireless recipient cannot consume protected content without requiring content personalization assistance from either Safadi et al.' network infrastructure itself, or the headend of the cable network, which is itself clearly an extension of Safadi et al.' network infrastructure. In either case, Safadi, et al.' playback/receiver device 30 cannot consume protected content without requiring content personalization assistance from the network infrastructure, as claimed.

For these reasons, it is respectfully submitted that the reasoning in the November 11th office action, in the paragraph bridging pages 2-3 is not correct.

Page 3, lines 5-17

The reasoning on page 3, lines 5-6, states that applicant argues that the PVR 10 of Safadi interacts with the headend, and therefore there must be assistance from the headend."

⁴ Similarly, see footnote 2 above.

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Foremost, it is respectfully submitted that, for all the reasons stated above, the PVR 10 of Safadi does interact with the headend, and that there must be assistance from the headend in order for Safadi, et al.' playback/receiver device 30 to consume protected content.

Moreover, consistent with that stated in Applicant's July 31st response, page 13, lines 10-14, in Safadi et al. clearly there is other interaction and assistance between the PVR 10 and the headend, which is described in Safadi, et al., paragraphs [0016] and [0040], where a playback identifier is reported to a system operator who checks it, e.g. against a revocation list, as well as in Safadi, et al., paragraph [0042], where the PVR 10 registers the playback device 30 in step 412 in Figure 2, for a subsequent "reportback" to trace any content that has been distributed to the device 30. In view of this, Safadi, et al.' playback/receiver device 30 cannot consume protected content without requiring content personalization assistance from the network infrastructure, as claimed.

For these reasons, it is respectfully submitted that the reasoning in the November 11th office action, page 3, lines 5-17, is not correct.

Page 3, lines 18-22

The reasoning on page 3, lines 18-20, states that applicant argues that the "PVR 20 [is] in communication with 'a system operator' falls within the scope of content personalization assistance from the wireless network infrastructure."

However, it is respectfully submitted that Safadi, et al., paragraphs [0016] and [0040], clearly describe that a playback identifier is reported to a system operator who checks it, e.g. against a revocation list; and Safadi, et al., paragraph [0042],

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clearly describes that the PVR 10 registers the playback device 30 in step 412 in Figure 2 for a subsequent "reportback" to trace any content that has been distributed to the device 30. In view of this, consistent with that stated in Applicant's July 31st response, page 13, lines 10-14, in Safadi et al. clearly there is other interaction and assistance between the PVR 10 and the headend. The system operator either forms part of Safadi et al.' network infrastructure itself, or forms part of the headend of the cable network, which is itself clearly an extension of Safadi et al.' network infrastructure. Thus, in either case Safadi, et al.' playback/receiver device 30 cannot consume protected content without requiring content personalization assistance from the network infrastructure, as claimed.

For these reasons, it is respectfully submitted that the reasoning in the November 11th office action, page 3, lines 18-22, is not correct.

Page 4, lines 1-4

The reasoning on page 4, lines 1-4, states that "'determining approval' does not fall within the scope of content personalization."

However, it is respectfully submitted that, consistent with that stated in Applicant's July 31st response, page 13, lines 10-14, in Safadi et al. clearly there is other interaction and assistance between the PVR 10 and the headend, in addition to that all ready set forth in detail above. Because of this, clearly Safadi, et al.' playback/receiver device 30 cannot consume protected content without requiring the aforementioned interaction and assistance from the network infrastructure. Thus, consistent with that stated in Applicant's July 31st response, page 13, lines 10-14,

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Safadi, et al.' playback/receiver device 30 cannot consume protected content without requiring content personalization assistance from the network infrastructure, as claimed.

For these reasons, it is respectfully submitted that the reasoning in the November 11th office action, page 4, lines 1-4, is not correct.

Page 4, lines 1-4

The reasoning on page 4, lines 5-11, states that the subject matter of claims 22-26 were not argued separately.

Foremost, it is respectfully submitted that claim 22 clearly recites a method in which the wireless recipient consumes protected content without requiring content personalization assistance from the network infrastructure, as claimed. For example, claim 22 recites a step of "applying a private digital rights management key of the second terminal, if the private digital rights management key of the first terminal is verified, in order for the second terminal to consume the protected content." No other step recited in claim 22 calls for the wireless recipient to require content personalization assistance from the network infrastructure in order to consume content.

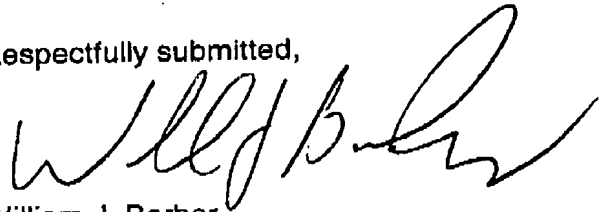
Moreover, consistent with that stated in Applicant's July 31st response, page 13, lines 15-19, the remaining claims depend directly or indirectly from the main independent claims, contain all the limitations thereof and are deemed patentable over *Safadi* alone or in combination with other cited prior art for all the reasons set forth above. In effect, the other cited prior art does not make up for the fundamental deficiency in teaching of the *Safadi* consistent with that set forth above.

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For these reasons, it is respectfully submitted that the reasoning in the November 11th office action, page 4, lines 5-11, is not correct.

Reconsideration and early allowance is earnest solicited.

Respectfully submitted,



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